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# A BILL FOR AN ACT

RELATING TO EARLY EDUCATION.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. Section 302A-411, Hawaii Revised Statutes, is  
2 amended to read as follows:

3           "~~§302A-411~~ [~~Junior kindergarten and kindergarten~~]

4 Kindergarten program; establishment; attendance. (a) The  
5 department shall establish and maintain [~~junior kindergartens~~  
6 ~~and~~] kindergartens with a program of instruction as a part of  
7 the public school system; provided that:

8           (1) Attendance shall not be mandatory; [~~and~~]

9           (2) Charter schools shall be excluded from mandatory  
10 participation in the program[~~-~~]; and

11 [~~(b) The department shall establish a two-tier junior~~  
12 ~~kindergarten and kindergarten program to support the range of~~  
13 ~~developmental abilities of children in junior kindergarten and~~  
14 ~~kindergarten.~~]

15           (3) Schools shall not move students between [~~junior~~  
16 ~~kindergarten and~~] kindergarten[, ~~except in cases where~~  
17 ~~the movement is warranted and based on~~] and grade one  
18 without appropriate assessments [~~determined by:~~



1       ~~(1) A qualified teacher with early childhood education~~  
2           ~~background or experience; and~~

3       ~~(2) The formative and summative assessment of a student's~~  
4           ~~academic, physical, social, and emotional abilities,~~  
5 ~~provided that, beginning with the 2010-2011 school year, the~~  
6 ~~department shall use successful assessment tools and protocols~~  
7 ~~for determining a student's initial placement and for decision~~  
8 ~~making about a student's movement between tiers and into grade~~  
9 ~~one. Junior kindergarten students may graduate directly to~~  
10 ~~grade one when promotion is based on appropriate assessments and~~  
11 ~~other progress data collected over time].~~

12       ~~[(e)]~~ (b) Beginning with the ~~[2004-2005]~~ 2011-2012 school  
13 year, a child who will be at least five years of age on or  
14 before ~~[December 31]~~ August 1 of the school year may attend a  
15 public school kindergarten. ~~[Beginning with the 2006-2007~~  
16 ~~school year, a child who will be at least five years of age on~~  
17 ~~or before August 1 of the school year may attend a public school~~  
18 ~~kindergarten. Beginning with the 2006-2007 school year, a child~~  
19 ~~who will be at least five years of age after August 1 and before~~  
20 ~~January 1 of the school year may attend a public school junior~~  
21 ~~kindergarten.]~~



1            [~~(d)~~] (c) The department may accept gifts to establish and  
2 maintain [~~junior-kindergartens and~~] kindergartens."

3            SECTION 2. Section 302L-3, Hawaii Revised Statutes, is  
4 amended by amending subsection (a) to read as follows:

5            "(a) There is established an early learning council which  
6 shall be attached to the department of education for  
7 administrative purposes only, notwithstanding any other law to  
8 the contrary. To the extent permissible by law, the council  
9 shall develop and administer the early learning system  
10 established in section 302L-2 to benefit all children throughout  
11 the State, from birth until the time they enter kindergarten.  
12 In developing the early learning system, the council shall,  
13 among other things:

- 14            (1) Establish policies and procedures governing its  
15                            operations;
- 16            (2) Develop a plan, with goals and objectives, for the  
17                            early learning system, including the development,  
18                            execution, and monitoring of a phased implementation  
19                            plan;
- 20            (3) Coordinate, improve, and expand upon existing early  
21                            learning programs and services for children, from  
22                            birth until the time they enter kindergarten;



- 1 (4) Establish policies and procedures to include existing
- 2 early learning programs and services;
- 3 (5) Establish additional early learning programs and
- 4 services;
- 5 (6) Establish policies and procedures governing the
- 6 inclusion of children with special needs;
- 7 (7) Develop incentives to enhance the quality of programs
- 8 and services within the early learning system;
- 9 (8) Coordinate efforts to develop a [~~highly-qualified,~~
- 10 highly qualified, stable, and diverse workforce,
- 11 including:
- 12 (A) Ensuring that more early childhood educators and
- 13 administrators, existing or potential, have
- 14 opportunities to receive early childhood
- 15 education degrees, including offering higher
- 16 education scholarships;
- 17 (B) Increasing the availability of early childhood
- 18 education coursework, including distance learning
- 19 courses and community-based early childhood
- 20 education training;
- 21 (C) Providing access to continuing professional
- 22 development for all educators and administrators;



- 1 (D) Establishing a system for awarding appropriate  
2 credentials to educators and administrators, as  
3 incentives to improve the quality of programs and  
4 services, relevant to the various early learning  
5 approaches, service deliveries, and settings,  
6 such as for experience or coursework or degrees  
7 completed;
- 8 (E) Providing consultation on the social-emotional  
9 development of children; and
- 10 (F) Providing substitute teacher allowances;
- 11 (9) Develop and implement methods of maximizing the  
12 involvement of families, caregivers, and teachers in  
13 the early learning system;
- 14 (10) Develop an effective, comprehensive, and integrated  
15 system to provide training and technical support to  
16 programs and services within the early learning  
17 system;
- 18 (11) Develop standards of accountability to ensure that  
19 [~~high-quality~~] high quality early learning experiences  
20 are provided by programs and services of the early  
21 learning system;



- 1           (12) Collect, interpret, and release data relating to early  
2           learning in the State;
- 3           (13) Recommend the appropriate proportion of state funds  
4           that should be distributed to programs and services  
5           across the early learning system, to ensure the most  
6           effective and efficient allocation of fiscal resources  
7           within the early learning system;
- 8           ~~[(14) Develop a plan to ensure that the needs of junior~~  
9           ~~kindergarteners are addressed, including:~~
- 10           ~~(A) Recommending an appropriate and effective~~  
11           ~~curriculum;~~
- 12           ~~(B) Establishing criteria for junior kindergarten~~  
13           ~~teachers and aides;~~
- 14           ~~(C) Incorporating Hawaii's preschool content~~  
15           ~~standards for junior kindergarteners; and~~
- 16           ~~(D) Recommending an effective transition from the~~  
17           ~~early learning system to kindergarten;~~
- 18           ~~(15)]~~ (14) Promote awareness of early learning  
19           opportunities to families and the general public; and
- 20           ~~[(16)]~~ (15) Consult with community groups, including  
21           statewide organizations that are involved in early  
22           learning professional development, policy and



1           advocacy, and early childhood programs, to broaden the  
2           council's knowledge of early learning."

3           SECTION 3. Statutory material to be repealed is bracketed  
4 and stricken. New statutory material is underscored.

5           SECTION 4. This Act shall take effect upon its approval.



**Report Title:**

Education; Junior Kindergarten and Kindergarten Program

**Description:**

Removes the provisions requiring the department of education to establish and maintain a public school junior kindergarten program.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

